

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re

CUSTOMS AND TAX ADMINISTRATION
OF THE KINGDOM OF DENMARK
(SKATTEFORVALTNINGEN) TAX
REFUND SCHEME LITIGATION

This document relates to: 18-cv-05053,
18-cv-09797, 18-cv-09836, 18-cv-09837,
18-cv-09838, 18-cv-09839, 18-cv-09840,
18-cv-09841, 18-cv-10100¹

MASTER DOCKET

18-md-2865 (LAK)

**THIRD-PARTY PLAINTIFFS DARREN WITTWER, ROBERT CREMA,
AND ACER INVESTMENT GROUP, LLC'S MOTION FOR LEAVE TO FILE
AMENDED THIRD-PARTY COMPLAINTS**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, with all exhibits thereto, Third-Party Plaintiffs Darren Wittwer, Robert Crema, and Acer Investment Group, LLC (collectively, "Third-Party Plaintiffs"), hereby move this Court for an order pursuant to Rule 15 of the Federal Rules of Civil Procedure granting Third-Party Plaintiffs leave to file their

¹ The related actions include the following cases, which were pending in the District of Utah prior to transfer to this Court for pre-trial purposes: *SKAT v. DW Construction, Inc. Retirement Plan*, 18-cv-09797 (S.D.N.Y.); *SKAT v. Kamco Investments Inc. Pension Plan*, 18-cv-09836 (S.D.N.Y.); *SKAT v. Kamco LP Profit Sharing Pension Plan*, 18-cv-09837 (S.D.N.Y.); *SKAT v. Linden Associates Defined Benefit Plan*, 18-cv-09838 (S.D.N.Y.); *SKAT v. Moira Associates LLC 401K Plan*, 18-cv-09839 (S.D.N.Y.); *SKAT v. Riverside Associates Defined Benefit Plan*, 18-cv-09840 (S.D.N.Y.); and *SKAT v. American Investment Group of New York, L.P. Pension Plan*, 18-cv-09841 (S.D.N.Y.) (together, the "Utah Actions"). The related actions also include *SKAT v. Newsong Fellowship Church 401k Plan*, 18-cv-10100 (S.D.N.Y.), which was pending in the Eastern District of Pennsylvania prior to transfer to this Court for pre-trial purposes, and *SKAT v. The Goldstein Law Group PC 401k Profit Sharing Plan*, 18-cv-05053 (S.D.N.Y.), which was pending in the Southern District of New York prior to multi-district consolidation.

proposed amended third-party complaints, and for such other and further relief as the Court deems just and proper.

November 29, 2021

Respectfully submitted,

K&L GATES LLP

/s/ John C. Blessington

John C. Blessington (*pro hac vice*)

john.blessington@klgates.com

Brandon R. Dillman (*pro hac vice*)

brandon.dillman@klgates.com

Michael R. Creta (*pro hac vice*)

michael.creta@klgates.com

John L. Gavin (*pro hac vice*)

john.gavin@klgates.com

K&L GATES LLP

State Street Financial Center

One Lincoln Street

Boston, MA 02111

T: 617.261.3100

F: 617.261.3175

*Attorneys for Defendants Darren Wittwer,
Robert Crema, and Acer Investment Group, LLC*